

Message Text

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ACTION IO-13

INFO OCT-01 ISO-00 AF-08 ARA-10 EA-09 EUR-12 NEA-10 L-03

AGRE-00 AID-05 EB-07 USIA-15 COME-00 TRSE-00 ABF-01

OMB-01 /095 W

-----112344Z 010274 /66

R 112204Z JAN 77

FM USMISSION USUN NY

TO SECSTATE WASHDC 1996

INFO AMEMBASSY ROME

UNCLAS SECTION 1 OF 2 USUN 0063

ROME FOR FODAG

E.O. 11652: N/A

TAGS: IFAD, UN, EAGR

SUBJ: IFAD: COMMUNICATION FROM THE UN OFFICE OF LEGAL AFFAIRS

ON THE OPENING FOR SIGNATURE AND TEXT OF THE FORMAL CLAUSES
OF THE IFAD AGREEMENT

1. QUOTED BELOW AS PARAGRAPH THREE OF THIS CABLE IS
THE TEXT OF SUBJECT THIRD PARTY NOTE ADDRESSED TO "THE
SECRETARY OF STATE" AND SIGNED BY BLAINE SLOAN, DIRECTOR
OF THE GENERAL LEGAL DIVISION IN CHARGE OF THE OFFICE
OF LEGAL AFFAIRS. THE COMMUNICATION BEARING THE
REFERENCE NUMBER CN391.1976. TREATIES-1, IS DATED DECEMBER
21 BUT WAS NOT RECEIVED AT USUN UNTIL JANUARY 11.

2. THE ORIGINAL COPY OF THE THIRD PARTY NOTE PLUS THE
SEVEN PAGE ANNEX TO THE NOTE ENTITLED FORMAL CLAUSES
OF THE IFAD AGREEMENT ARE BEING POUCHED TO THE DEPARTMENT
TO THE ATTENTION OF PAUL BYRNES, IO/AGR.

3. QUOTE: BEGIN TEXT.

C.N.391.1976.TREATIES-1 21 DECEMBER 1976
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AGREEMENT ESTABLISHING THE INTERNATIONAL FUND FOR
AGRICULTURAL DEVELOPMENT CONCLUDED AT ROME ON
13 JUNE 1976

OPENING FOR SIGNATURE

COMMUNICATION OF THE TEXT OF THE FORMAL CLAUSES

SIR,

I HAVE THE HONOUR, UPON INSTRUCTIONS FROM THE SECRETARY-GENERAL, TO REFER TO THE AGREEMENT ESTABLISHING THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT, ADOPTED ON 13 JUNE 1976 BY THE UNITED NATIONS CONFERENCE ON THE ESTABLISHMENT OF AN INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT, WHICH MET AT THE HEADQUARTERS OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS AND OF THE WORLD FOOD COUNCIL IN ROME, ITALY, FROM 10 TO 13 JUNE 1976.

THE ORIGINAL OF THE AGREEMENT, IN THE ARABIC, ENGLISH, FRENCH AND SPANISH LANGUAGES, EACH LANGUAGE BEING EQUALLY AUTHORITATIVE, WAS INITIALLED ON BEHALF OF 82 OF THE 90 STATES LISTED IN SCHEDULE I, PART I, OF THE AGREEMENT (STATES ELIGIBLE FOR ORIGINAL MEMBERSHIP) AND IS DEPOSITED WITH THE SECRETARY-GENERAL.

I WISH TO INFORM YOU THAT THE CONDITIONS PROVIDED IN SECTION 1(A) OF ARTICLE 13 OF THE AGREEMENT FOR ITS OPENING FOR SIGNATURE (THAT IS, PLEDGES OF INITIAL CONTRIBUTIONS EQUIVALENT TO AT LEAST 1,000 MILLION UNITED STATES DOLLARS IN FREELY CONVERTIBLE CURRENCIES (ASTERIK)) WERE MET ON 20 DECEMBER 1976. CONSEQUENTLY, IN ACCORDANCE WITH THAT SECTION AND THE PROVISIONS OF A RESOLUTION ADOPTED BY THE CONFERENCE ON 13 JUNE 1976, THE AGREEMENT WAS OPENED FOR SIGNATURE ON 20 DECEMBER 1976 AT THE HEADQUARTERS OF THE UNITED NATIONS.

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THE FORMAL CLAUSES OF THE AGREEMENT CONCERNING: MEMBERSHIP IN THE FUND (ARTICLE 3, SECTIONS 1 AND 2), INITIAL CONTRIBUTIONS (ARTICLE 4, SECTION 2), DENUNCIATION (ARTICLE 9, SECTION 1), PRIVILEGES AND IMMUNITIES (ARTICLE 10, SECTION 2), ARBITRATION (ARTICLE 11, SECTION 2), AMENDMENTS (ARTICLE 12), SIGNATURE, RATIFICATION, ACCEPTANCE, APPROVAL AND ACCESSION (ARTICLE 13, SECTION 1), ENTRY INTO FORCE (ARTICLE 13, SECTION 3), RESERVATIONS (ARTICLE 13, SECTION 4), LIST OF STATES ELIGIBLE FOR ORIGINAL MEMBERSHIP (SCHEDULE I, PART I), ARE REPRODUCED AS AN ANNEX TO THIS LETTER.

IN THIS CONNEXION, I WISH TO DRAW YOUR ATTENTION TO THE FOLLOWING:

PURSUANT TO SECTION 1(B) OF ARTICLE 13, THE INSTRUMENTS OF RATIFICATION, ACCEPTANCE, APPROVAL OR ACCESSION DEPOSITED BY ANY STATE LISTED IN CATEGORIES I OR II IN PART I OF SCHEDULE I MUST SPECIFY THE AMOUNT OF THE INITIAL CONTRIBUTION TO THE FUND THAT THE STATE UNDERTAKES TO MAKE IN ACCORDANCE

WITH SECTION 2 OF ARTICLE 4 OF THE AGREEMENT. IF ANY CONDITIONS ARE ATTACHED TO SUCH PLEDGES, THEY MUST BE CLEAR AND UNAMBIGUOUS AND CONDITIONED SOLELY WITH REFERENCE TO OBJECTIVE CRITERIA, SO THAT UNDER NO CIRCUMSTANCES WILL IT BE NECESSAARY FOR THE DEPOSITORY, IN DETERMINING WHETHER THE CONDITION FOR THE ENTRY INTO FORCE OF THE AGREEMENT HAS BEEN FULFILLED, TO CONSULT THE STATE CONCERNED TO DETERMINE WHETHER ON THE BASIS OF INFORMATION AVAILABLE ON THE STATUS OF OTHER PLEDGES, THE CONDITIONS FOR THE PLEDGE TO BECOME EFFECTIVE HAVE BEEN SATISFIED AND IN RESPECT OF WHAT AMOUNT.

THE AGREEMENT MUST ENTER INTO FORCE WITHIN 18 MONTHS OF ITS OPENING FOR SIGNATURE (I.E. BY 20 JUNE 1978), UNLESS THAT TIME LIMIT IS EXTENDED BY THE PROCEDURE SPECIFIED IN SECTION 3(A) OF ARTICLE 13 OF THE AGREEMENT. STATES LISTED IN PART I OF SCHEDULE I WILL HAVE UNTIL ONE UNCLASSIFIED

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YEAR AFTER THE ACTUAL ENTRY INTO FORCE OF THE AGREEMENT

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TO SECSTATE WASHDC 1997

INFO AMEMBASSY ROME

UNCLAS SECTION 2 OF 2 USUN 0063

ROME FOR FODAG

TO BECOME ORIGINAL MEMBERS (I.E. TO BECOME MEMBERS WITHOUT SECURING THE APPROVAL OF THE GOVERNING COUNCIL).

CERTIFIED TRUE COPIES OF THE AGREEMENT ARE BEING
ESTABLISHED AND WILL BE SENT TO ALL STATES CONCERNED IN DUE
COURSE.

ACCEPT, SIR, THE ASSURANCES OF MY HIGHEST CONSIDERATION.

(ASTERIK) IN DETERMINING WHAT CURRENCIES SHOULD BE CONSIDERED
AS "FREELY CONVERTIBLE" WITHIN THE MEANING OF PARAGRAPH (D)
OF ARTICLE 1 OF THE AGREEMENT, THE SECRETARY-GENERAL HAS
CONSULTED WITH THE INTERNATIONAL MONETARY FUND AS WELL
AS WITH THE PREPARATORY COMMISSION OF IFAD AND HAS CONCLUDED
THAT, FOR THE PURPOSES OF THE TARGETS SPECIFIED IN
SECTIONS 1(A) AND 3(A) OF ARTICLE 13 OF THE AGREEMENT,
THE CURRENCIES IN WHICH ANY STATE IN CATEGORY I OR II MADE
A PLEDGE RECORDED IN PART II OF SCHEDULE I ARE TO BE
CONSIDERED CONVERTIBLE, ON THE EXPECTATION THAT SUCH
CURRENCIES WILL EITHER BE ADEQUATELY CONVERTIBLE INTO
THE CURRENCIES OF OTHER MEMBERS FOR THE PURPOSES OF
THE FUND'S OPERATIONS OR THAT THE MEMBER CONCERNED WILL
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MAKE ARRANGEMENTS, ON TERMS SATISFACTORY TO THE FUND,
TO EXCHANGE SUCH CURRENCIES FOR THOSE OF OTHER MEMBERS
FOR THE PURPOSES OF THE FUND'S OPERATIONS.

BLAINE SLOAN
DIRECTOR OF THE GENERAL LEGAL DIVISION
IN CHARGE OF THE OFFICE OF LEGAL AFFAIRS

END TEXT. UNQUOTE.
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Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Decapton Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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Executive Order: N/A
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Review Transfer Date:
Review Withdrawn Fields: n/a
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TAGS: EAGR, IFAD, UN
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/6f052fdb-c288-dd11-92da-001cc4696bcc
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